



JC14 Rec'd PCT/PTO

Boxsen
16 MAY 2002

PATENT

ATTY. DOCKET NO.: INVIT1220-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Heyman *et al.* Art Unit: Unknown
Application No.: 09/937,112 Examiner: Unknown
Filed: September 19, 2001
Title: METHODS OF OBTAINING FULL-LENGTH NUCLEIC ACID
SEQUENCES USING *E. COLI* TOPOISOMERASE III AND ITS
HOMOLOGS

Box Sequence

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

TRANSMITTAL LETTER

Sir:

In connection with the response to the Notification of Missing Requirements Under 35 U.S.C. 371 in The United States Designated/Elected Office (DO/EO/US) mailed March 13, 2002, Applicants provide herewith a substitute computer readable and a paper copy of the Sequence Listing in accordance with 37 C.F.R. §§ 1.821 – 1.825 *et seq.* The remaining items noted as missing parts will be submitted under separate cover to Box PCT, Commissioner for Patents, Washington, D.C. 20231.

Transmitted herewith for the above-identified application please find:

1. Statement Under 37 C.F.R. §§ 1.821(f), (g) and 37 C.F.R. §§ 1.825(a), (b) (2 pgs.);
2. Verified Statement Under 37 C.F.R. § 1.821(f) (1 pg.);
3. Amendment Supporting Substitute Copy of Sequence Listing (3 pgs.);
4. Substitute Sequence Listing (2 pgs.);
5. Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (2 pgs.);
6. Substitute Sequence Listing in computer readable form (3.5" disk); and

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, <u>May 13, 2002</u> , in an envelope addressed to: U.S. Patent and Trademark Office Box Sequence, P.O. Box 2327, Arlington, VA 22202.	
Mikhail Bayley	
Name of Person Mailing Paper	
Signature	Date
<i>Mikhail Bayley</i>	May 13, 2002

In re Application of:

Heyman *et al.*

Application No.: 09/937,112

Filed: September 19, 2001

Page 2

PATENT

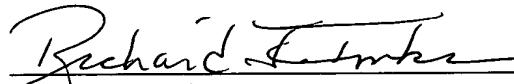
ATTY. DOCKET NO.: INVIT1220-1

7. Return Postcard

No fee is deemed necessary in connection with the filing of this paper. However, if any fee is required, the Commissioner is hereby authorized to charge the amount of this fee, or credit any overpayments, to Deposit Account No. 50-1355. A copy of this Transmittal Sheet is enclosed.

Respectfully submitted,

Date: May 13, 2002



Richard J. Imbra

Reg. No. 37,643

Telephone: (858) 677-1496

Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP

4365 Executive Drive, Suite 1100

San Diego, California 92121-2133

USPTO Customer Number: 28213



Rec'd PCT/PTO 16 MAY 2002

PATENT
ATTY. DOCKET NO.: INVIT1220-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Heyman *et al.* Art Unit: Unknown
Application No.: 09/937,112 Examiner: Unknown
Filed: September 19, 2001
Title: METHODS OF OBTAINING FULL-LENGTH NUCLEIC ACID
SEQUENCES USING *E. COLI* TOPOISOMERASE III AND ITS
HOMOLOGS

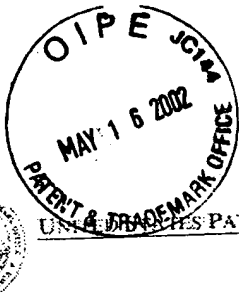
Box Sequence

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

AMENDMENT SUPPORTING SUBSTITUTE COPY OF SEQUENCE LISTING

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designed/Elected Office (DO/EO/US) mailed March 13, 2002, Applicant provides herewith a computer readable and a paper copy of the Substitute Sequence Listing in accordance with 37 C.F.R. § 1.821-1.825 *et seq.* Entry of the amendments is respectfully requested. The remaining items noted as missing requirements will be submitted under separate cover to Box PCT, Commissioner for Patents, Washington, D.C. 20231.

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, <u>May 13, 2002</u> , in an envelope addressed to: U.S. Patent and Trademark Office Box Sequence, P.O. Box 2327, Arlington, VA 22202.	
Mikhail Bayley	
Name of Person Mailing Paper	
<i>Mikhail Bayley</i>	May 13, 2002
Signature	Date



PATENT DOCKETING

Page 1 of 2

MAR 20 2002

GRAYCARY/TELLIS

UNITED STATES PATENT AND TRADEMARK OFFICE

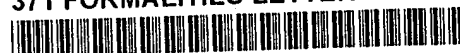
Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO. 09/937,112	FIRST NAMED APPLICANT John A. HEYMAN	ATTY. DOCKET NO. INVITI1220-1
INTERNATIONAL APPLICATION NO. PCT/US00/06560		
IA. FILING DATE 03/13/2000		PRIORITY DATE 03/19/1999

Lisa A. Haile, J.D., Ph.D.
Gray Cary Ware & Freidenrich
4365 Executive Drive
Suite 1600
San Diego, CA 92121-2189

CONFIRMATION NO. 4705

371 FORMALITIES LETTER



OC000000007601278

Date Mailed: 03/13/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 305-3662

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/937,112	PCT/US00/06560	INVT11220-1